

REMARKS

Status of the Claims

Claims 1-6, 8-25, and 27-34 remain pending in the application, Claims 7, 26, 35, 36, and 37 having been previously canceled, and Claim 38 being currently canceled.

Allowable Subject Matter

The Examiner has indicated that Claims 1-6, 8-25, and 27-32 are allowed. The Examiner has objected to Claims 36-38 as being dependent upon a rejected base claim, but has noted that these claims would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims.

Accordingly, applicants have canceled Claim 38 and have amended independent Claim 33 to include the novel recitation of Claim 38 that recites in general “enabling the electronic invitation to be accepted by the recipient through use of a verbal response spoken into the microphone by the recipient.”

Although the Examiner has indicated that this office action is based on the amendments filed on July 6, 2004, i.e., the amendment filed after last non-final action dated April 21, 2004, applicants must amend the claims based upon their state following the latest amendment that was entered. Accordingly, Claims 36 and 37 were already canceled and their recitation was included in independent Claim 33 as amended in the response to the previous Office Action. Thus, independent Claim 33 as currently amended includes the recitation of Claims 36-38.

Claims Rejected under 35 U.S.C. § 102(e)

Claims 33-34 are rejected as anticipated by James et al., U.S. Patent No. 6,179,713, hereinafter referred to as “James.” The Examiner asserts that James teaches all of the elements of Claim 33.

However, as indicated above, applicants have amended independent Claim 33 to include the recitation of Claim 38. And Claim 33 was previously amended to include the claim limitations of Claims 36 and 37. Since the Examiner indicated that Claims 36-38 recite patentable subject matter, thus, independent Claim 33 now patentably distinguishes over the prior art, and applicants request that the Examiner withdraw the rejection of Claim 33. Claim 34 depends from independent Claim 33. Because dependent claims inherently include all of the steps or elements of the independent claim from which the dependent claims ultimately depend, dependent Claim 34 is

1 patentable for at least the same reasons as discussed above, with regard to independent Claim 33.
2 Accordingly, the rejection of dependent Claim 34 under 35 U.S.C. § 102(e) over James should also
3 be withdrawn.

4 In view of the Remarks set forth above, it will be apparent that the claims remaining in this
5 application define a novel and non-obvious invention, and that the application is in condition for
6 allowance and should be passed to issue without further delay. Should any further questions remain,
7 the Examiner is invited to telephone applicants' attorney at the number listed below.

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9 Respectfully submitted,

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15 SKM/RMA:klp

16 MAILING CERTIFICATE

17 I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a sealed
envelope as first class mail with postage thereon fully prepaid addressed to: Commissioner for Patents,
18 Alexandria, VA 22313-1450, on July 26, 2005.

19 Date: July 26, 2005
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